

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DAVID JIMENEZ,  
Plaintiff,

v.

HAXTON MASONRY, INC.,  
Defendant.

Case No. 18-cv-07109-SVK

**ORDER GRANTING TELEPHONIC  
APPEARANCES AND ADDRESSING  
CASE MANAGEMENT ISSUES**

Re: Dkt. Nos. 46, 47, 48

In the Joint Case Management Statement, both parties have raised discovery issues and made a request for an extension of time to conduct discovery. Dkt. 47. The Court questions the parties' diligence in conducting discovery to date and may grant only a modest extension upon a showing of good cause. Additionally, the case management order in this case (Dkt. 42) set alternative schedules based upon whether Defendant intends to file an early motion for summary judgment. Neither party addressed the impact on these alternative schedules in its request for an extension of discovery. Accordingly, at the case management conference on December 10, 2019, both parties **must be prepared to address the following:**

1. Identify, with specificity, the discovery conducted thus far;
2. Identify, with specificity, the good cause, if any, for a modest extension of the January 10, 2020 deadline for pre-certification fact discovery, *including a detailed discussion of precisely what additional discovery each side intends to conduct and the respective timeline for doing so*; and
3. The impact of a modest extension of the pre-certification fact discovery deadline on the contingent schedules set forth in Dkt. 42.

The parties are further **ORDERED** to meet and confer either live or by telephone (not by email) on the foregoing issues in advance of the case management conference. The Court

1 welcomes a joint submission from the parties addressing the aforementioned issues by **Monday,**  
2 **December 9, 2019 at 5:00 p.m.** The parties' requests to appear at the December 10, 2019 case  
3 management conference (Dkts. 46, 48) are **GRANTED.**

4 **SO ORDERED.**

5 Dated: December 5, 2019

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9 United States Magistrate Judge  
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